

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ROBERT WALSH,	:	NO. 3:22-cv-1163-JFS
Plaintiff,	:	
v.	:	
NORTHAMPTON	:	
COMMUNITY COLLEGE, et al.	:	
Defendant.	:	

MOTION TO WITHDRAW AS COUNSEL

AND NOW comes your Movant, John E. Freund, III., Esquire, counsel and respectfully requests leave to withdraw as counsel for Defendant, Leslie Gates, and Defendants Doe 1-20 and in support of his motion avers:

1. Defense counsel was assigned by Defendant, Northampton Community College's insurance carrier to represent the above-captioned Defendants with regard to captioned matter.
2. Upon assignment counsel entered appearance for all Defendants.
3. After review of the Complaint filed by Plaintiff, counsel cannot represent Doe 1-20, as Plaintiff cannot identify the identity of any of those 20 Defendants.
4. After further investigation, it has become evident that it would be a direct conflict for counsel to represent Defendant, Leslie Gates, who was the

Plaintiff's instructor at the time that all incidents alleged in the Complaint occurred.

5. Counsel has informed United Educators and Defendant, Leslie Gates that Counsel cannot represent Leslie Gates. A letter was mailed to Leslie Gates confirming that telephone conversation. (Please see attached letter marked as Exhibit "A").
6. Counsel has not had any confidential communications with Defendant Gates or Does 1-20.

WHEREFORE, it is Respectfully Requested Movant be permitted to withdraw as counsel for Leslie Gates due to a direct conflict, as well as Doe 1-20, because their identity is unknown.

DATE: September 19, 2022 KING, SPRY, HERMAN, FREUND & FAUL

/s/ John E. Freund, III, Esq.
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EXHIBIT “A”



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September 14, 2022

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Mr. Lesile Gates
334 Hallet Road
East Stroudsburg, PA 18301

RE: Walsh v. Northampton Community College, et al.
CV-1163

Dear Mr. Gates:

After review of the Complaint, it appears that our firm would have a conflict representing both you and the College. You should seek other counsel.

It is my understanding that you informed my paralegal on September 8, 2022, that you have the Kidwell Law Firm reviewing the Complaint. If you did not have them review it, my advice would be to contact an attorney immediately, as you will need to file a response to this Complaint.

Very Truly Yours,

John E. Freund, III.

JEF:MLS

OF COUNSEL:
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